

UNITED STATES PATENT AND TRADEMARK OFFICE
Trademark Trial and Appeal Board
P.O. Box 1451
Alexandria, VA 22313-1451

Baxley

Mailed: September 29, 2006

Cancellation No. 92046092

E. Land World Ltd.

v.

Essential Tailored Clothing,
Inc.

By the Trademark Trial and Appeal Board:

On September 28, 2006, petitioner filed a motion to dismiss this proceeding as moot in view of the cancellation of involved Registration No. 2296663 under Trademark Act Section 8, 15 U.S.C. Section 1058.¹ The Board will treat the motion to dismiss as a withdrawal of the petition for cancellation.

Because no answer is of record, the petition for cancellation is dismissed without prejudice. See Trademark Rule 2.114(c).

cc: Stanley Lerman
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¹ When the Board is made aware that an involved registration was cancelled under Section 8, the Board issues an order requiring respondent to show good and sufficient cause why the Board should not treat such cancellation as a voluntary surrender of that registration without petitioner's consent and enter judgment against registrant. See Trademark Rule 2.134(b). If the respondent shows good and sufficient cause, the Board then allows petitioner time in which to decide whether to go forward with the cancellation proceeding or to have the proceeding dismissed as moot. See TBMP Section 602.02(b) (2d ed. rev. 2004).